REMARKS

In the Office Action, the examiner states that "claims 1-16 are generic to a plurality of

disclosed patentably distinct species comprising compositions comprising hyaluronic acid,

carboxymethyl cellulose and further comprising Schiff bases, Amadori products, etc." and that

"Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this

requirement is traversed".

Applicant respectfully traverses the requirement, insofar as each pending claim encompasses

preparations of "glycated chitosan" or "a glycated chitosan polymer". The claims are not generic to

compositions comprising hyaluronic acid or carboxymethyl cellulose. As described in the

specification, glycated chitosan comprises the reaction products resulting from the glycation of free

amino groups of chitosan with monosaccharides and/or oligosaccharides (see Specification p. 5, lines

7 to p. 8, line 7). Considering the specificity ascribed to the term, Applicant does not believe that

the examiner's search would be unduly extensive or burdensome.

Nevertheless, in response to the Office Action, Applicant elects as a single disclosed species

its preferred form of glycated chitosan as disclosed in the specification, namely, the galactose

derivative of chitosan, i.e. galacto-chitosan (see Specification, pp. 9-11, Examples 4 through 6).

As an aside, in connection with a review of the specification as filed, it was discovered that

the diagram mentioned in Example 4 was inadvertently omitted from the application as filed. The

specification is amended herein to include the diagram. No new matter is added for at least two

reasons: (1) the reaction scheme merely depicts diagrammatically what is explicitly disclosed in the

PATENT USSN: 09/715,429

Preliminary Amendment

Page 8 of 8

text of the specification, and (2) the diagram is the same (save for an obvious error correction) as that

shown in U.S. Patent No. 5,747,475, which patent is incorporated by reference in the specification

as filed (see Specification, p. 5, lines 7-9; see also Col. 11 of the '475 patent).

The new claim is directed to a medicament for providing the sustained release of a

therapeutic substance, comprising glycated chitosan having entrapped therein a desired amount of

said substance. The new claim is supported in the specification at page 3, lines 4-9 and page 14,

lines 8-12. No new matter has been added.

A check is enclosed in payment of the charges for one additional independent claim. To the

extent of any fee deficiency, please consider this our authorization to charge the deposit account of

the undersigned, Deposit Account No. 06-0540.

Respectfully submitted,

DATE

Reg. No.: 36,050

Tel. No.: (918) 599-0621

Customer No.: 22206

R. Alan Weeks

(type or print name of practitioner)

SIGNATURE OF PRACTITIONER

321 S. Boston Ave., Suite 800

P.O. Address

Tulsa, OK 74103-3318

153820.1



PATENT TRADEMARK OFFICE

Preparation of Galactochitosan (GC)